

**BLAIR TOWNSHIP ZONING BOARD OF APPEALS**  
***Regular Meeting - August 10, 2011 - Approved***

- A. The regular meeting of the Blair Township Zoning Board of Appeals was called to order by Chairman Sanford at 6:02 pm at the Blair Township Hall.
- B. The Pledge of Allegiance was recited.
- C. In attendance were Lombard, Sanford, McGee, Mapes, Zeits, Welch and Bildeaux. Also in attendance were the Zoning Administrator and one (1) guest.

Chairman Sanford welcomed new board member Welch and stated that board member Lombard had been re-appointed for a three (3) year term at the Township Board meeting last night.

- D. There was no public input.
- E. Motion by Lombard seconded by McGee to approve the agenda as presented. Motion carried.
- F. There was no conflict of interest stated.
- G. Motion by Zeits seconded by Bildeaux to approve the minutes of the October 13, 2010 regular meeting as presented. Motion carried.
- H. The Zoning Administrator spoke regarding the brochure he received for the Citizen Planner program and encouraged any interested board member to sign up.
- I. There was no unfinished business.

**J. 1.) ELECTION OF OFFICERS**

Chairman Sanford reviewed who held which positions currently:  
Sanford – Chairman  
Lombard – Vice-Chair  
McGee – Secretary.

Moved by Bildeaux seconded by McGee to re-elect current officers. Motion carried.

**2.) AMENDMENT TO ZBA BYLAWS**

Akers explained the new decision form that the ZBA will be using to record their decisions and stated that it will be legally binding.

Moved by Mapes seconded by Lombard to amend the bylaws to include the use of the decision form, to take affect immediately. Motion carried.

### **3.) APPROVAL OF DECISION FORM**

Akers explained the layout of the decision form.

Moved by McGee seconded by Mapes to approve use of the decision form. Motion carried.

### **4.) CASE #11-01 INTERPRETATION – REGARDING SECTION 16.06 OF THE ZONING ORDINANCE AND KEEPING MORE THAN FOUR (4) DOGS OR POULTRY, HOGS, OR OTHER LIVESTOCK.**

#### **Opened Public Hearing at 6:25 pm.**

Sarah Johnson, 1820 Radcliff, informed the board of her dealings with the Township regarding her four chickens.

Chairman Sanford explained that the Zoning Board of Appeals' job was to interpret the ordinance.

#### **Closed Public Hearing at 6:31 pm.**

The Zoning Administrator stated that the ordinance was unclear as to whether the keeping of poultry, hogs and other livestock is allowed on parcels less than five (5) acres. He stated that his staff report states how the ordinance read prior to May 24, 2011 and explained that it was the Planning Commission's intent to prohibit any poultry, hogs or other livestock on parcel less than five (5) acres.

There was discussion regarding the size of the animals, the intent of the ordinance and the section that states that a horse is allowed on parcels with two (2) acres. There was also discussion regarding whether the ordinance means four (4) of each type of animal or a combination of them.

Motion by Lombard seconded by Mapes regarding the interpretation of Section 16.06, Keeping of Animals, keeping of four (4) or less dogs, four (4) or less poultry, four (4) or less hogs, or four (4) or less other livestock is permitted on less than five (5) acres.

RCV:

Bildeaux – No, “or” is a delineator. Past precedent has been set through enforcement.

Lombard – Yes, it is my interpretation of what is written.

McGee – Yes, current reading of ordinance stipulates that more than four (4) on five (5) or more acres is okay, therefore implying that four (4) or less on five (5) acres is acceptable.

Mapes – Yes, for the same reason as McGee.  
Zeits – Yes, for the same reason as McGee.  
Welch – Yes, as I interpret what is written.  
Sanford – No, for the same reason as Bildeaux.

Motion carried.

The ZBA discussed recommendations to the Planning Commission including handling poultry as a separate issue from dogs, hogs and other livestock, defining large livestock and smaller animals, address cats, defining livestock by weight, using logic and consistency.

**K. RECESS TO PREPARE DECISION FORM – 7:57 PM  
RECONVENE AT 8:30 PM**

**L. REPORTS**

- 1.) Planning Commission Representative Bildeaux reported that the Planning Commission has sent Medical Marihuana regulations to the Township Board for their review, continuing discussion on roadside markets and stands, reviewing sections of the Zoning Ordinance, revising the Capitol Improvement Plan and elected officers.
- 2.) Township Board Representative Zeits reported that the Township Board approved applying for a tree planting grant, re-appointed George Lombard to the Zoning Board of Appeals, tabled the Special Use for Elmer’s regarding top soil removal, approved payments to Central Michigan Contracting, Gosling Czubak, and G.T. Construction for water system improvements, and declined applying for status as a Charter Township.
- 3.) The Zoning Administrator reported that permits so far are consistent with last year, the Medical Marihuana regulations have been sent to the Township Board, roadside stands and markets discussion continues, gave an update on the Capitol Improvement Plan, and recommended the Citizen Planner program again.

**M.** There was no other business.

**N.** Adjournment 8:45 pm.

Respectfully submitted,

Lynette Wolfgang  
Recording Secretary